

THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

WHITNEY BILYEU, individually and
as Chair of the LIBERTARIAN PARTY
OF TEXAS, et al.,

Plaintiffs,

V.

JOHN B. SCOTT, in his official capacity
as the Secretary of State of the State of
Texas, et al.,

Defendants.

No. 1:21-cv-01089-RP

PLAINTIFFS' OBJECTIONS TO DEFENDANTS' DEPOSITION DESIGNATIONS

Plaintiffs Whitney Bilyeu, individually and as Chair of the Libertarian Party of Texas, the Libertarian Party of Texas (“LPTexas”), Mark Ash, Stephanie Berlin, Joe Burnes, Arthur DiBianca, Kevin Hale, Desarae Lindsey, Arthur Thomas IV, and Mark Tippetts (collectively, “Libertarians”) file their Objections and Defendants’ Deposition Designations as follows. These objections are being filed with Court’s leave and in light of its pre-trial rulings.

A. Mark Ash

Page/Line	Objection/Counter-Designation	Sustained	Overruled
20:22–21:3	FRE 401; this testimony is not relevant because it will not tend to make any fact more or less probable and it would be without the testimony, and the subject of the testimony is of no consequence in determining the issue pending before the Court.		

B. Whitney Bilyeu

Page/Line	Objection/Counter-Designation	Sustained	Overruled
30:4–10	FRE 401; this testimony is not relevant because it will not tend to make any fact more or less probable and it would be without the testimony, and the subject of the testimony is of no consequence in determining the issue pending before the Court.		
39:12–40:10	FRE 401; this testimony is not relevant because it will not tend to make any fact more or less probable and it would be without the testimony, and the subject of the testimony is of no consequence in determining the issue pending before the Court.		

C. Arthur DiBianca

Page/Line	Objection/Counter-Designation	Sustained	Overruled
10:5–11:19	FRE 401; this testimony is not relevant because it will not tend to make any fact more or less probable and it would be without the testimony, and the subject of the testimony is of no consequence in determining the issue pending before the Court.		
69:11–73:24	FRE 401; this testimony is not relevant because it will not tend to make any fact more or less probable and it would be without the testimony, and the subject of the testimony is of no consequence in determining the issue pending before the Court.		
12:20–22	FRE 401; this testimony is not relevant because it will not tend to make any fact more or less probable and it would be without the testimony, and the subject of the testimony is of no consequence in determining the issue pending before the Court.		

D. Arthur Thomas IV

Page/Line	Objection/Counter-Designation	Sustained	Overruled
68:19–69:17	FRE 401; this testimony is not relevant because it will not tend to make any fact more or less probable and it would be without the testimony, and the subject of the testimony is of no consequence in determining the issue pending before the Court.		

E. Mark Tippetts

Page/Line	Objection/Counter-Designation	Sustained	Overruled
46:2–22	FRE 401; this testimony is not relevant because it will not tend to make any fact more or less probable and it would be without the testimony, and the subject of the testimony is of no consequence in determining the issue pending before the Court.		
40:9–19	FRE 401; this testimony is not relevant because it will not tend to make any fact more or less probable and it would be without the testimony, and the subject of the testimony is of no consequence in determining the issue pending before the Court.		

Dated: February 23, 2022

Respectfully submitted,

By: /s/ Jared G. LeBlanc

Jared G. LeBlanc

Texas Bar No.24046279

jleblanc@gamb.com

Adam J. Russ

Texas Bar No. 24109435

aruss@gamb.com

Brandon A. O'Quinn

Texas Bar No. 24092914

boquinn@gamb.com

GORDON, ARATA, MONTGOMERY, BARNETT,
 MCCOLLAM, DUPLANTIS & EAGAN, LLC
 2229 San Felipe, Suite 1100
 Houston, Texas 77019
 713.333.5500

ATTORNEYS FOR PLAINTIFFS**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served upon Defendants, by and through their counsel of record, electronically on February 23, 2022.

/s/ Jared G. LeBlanc

Jared G. LeBlanc